

Statewide Drug Control Assessment Summit 2004 - Final Report

EXECUTIVE SUMMARY

"We must move beyond just being tough on crime to being effective on crime, and that's not only for those caught in the jaws of addiction, but also for the taxpayer who foots the bill."

Governor Ernie Fletcher, State of the Commonwealth Address, January 2004.

The Kentucky Drug Control Assessment Summit has completed Governor Fletcher's charge to assess the status of local, state and federal drug control programs, policies, and initiatives and to prepare recommendations that will offer the administration the opportunity to establish the first uniform, balanced and collaborative statewide drug control policy.

Data has been collected over the past 20 weeks from Kentucky citizens and program administrators in all areas of the state and at all levels of local, state and federal government. The Summit membership has reviewed, discussed and developed specific recommendations; the following summary outlines key recommendations. While there are numerous additional actionable items, the areas listed below are primary executive decisions.

INTRODUCTION

The goals of the Statewide Drug Control Assessment Summit were to:

1. conduct a systemic statewide assessment accurately defining the current and future scope of the issues surrounding drug prevention-education, treatment, and enforcement;
2. develop strategy recommendations on which to establish a statewide, balanced, and outcome based drug control policy for Kentucky to:
 - a. efficiently marshal existing and future resources;
 - b. identify gaps and duplication of services;
 - c. effectively address the drug prevention, education/treatment, enforcement efforts throughout the state.

The assessment was not proposed as a formal empirical process, but as a pragmatic appraisal to advance a sensible course of action. It is important that this initiative not be regarded a study – it is an assessment.

BACKGROUND SUMMARY

The paradigm Kentucky has used to address substance abuse problems lacks fundamental coordination and balance. While many past and current federal, state, and local programs serve a specific purpose, there is a clear lack of a well thought-out strategy designed to

Statewide Drug Control Assessment Summit 2004 - Final Report

uniformly address the issues of **prevention-education, treatment, and enforcement** with a systemic approach.

There are pockets of substantial efforts in various areas of the state and by many agencies and programs; but few are coordinated under the banner of one plan grounded by a comprehensive, valid examination on how best to address this problem systemically.

A comprehensive assessment of this nature provides Kentucky a more accurate blueprint through which to create a valid strategy and road map to establish the desired outcome and assure adequate resources are efficiently deployed, developed and dedicated for that purpose.

A more modern approach to the problem is required to assure existing, current and future resources are effectively marshaled, and to ultimately change attitudes and long established cultural perspectives on the issue of substance abuse in Kentucky. Paraphrasing Governor Fletcher's State of The Commonwealth Address in January 2004, *The position of being 'tough on drug crime' has not proved as important as being 'effective on drug crime'.*

A statewide collaborative working summit, as envisioned by Governor Fletcher and organized by Lt. Governor Pence, was the first step in establishing a well-balanced statewide drug control policy. The charge was to examine and provide, at a minimum, the following:

a) Defining through collaborative assessment the extent of the overall substance abuse problems in Kentucky.

FINDING: Summit panel conclusion from public meeting input is that the **substance abuse problems in Kentucky should be treated as though they are epidemic in proportion, and the state should develop a response equal to that task.** Pronouncement of an epidemic should not be undertaken if the eventual drug control policy is not substantially different from past policies. The consensus opinion of Summit members emerged that treating substance abuse as epidemic would provide the impetus for dramatic action across all domains and provide the administration with a banner that could be a figurative **rallying point for subsequent action.** In sum, the problem is serious enough to warrant serious attention. The context for the work of the Summit was thus established: the Summit would not glaze over issues with merely cosmetic or insignificant policy recommendations; **treating substance abuse as an epidemic requires sustained corrective action, sustained by the entirety of state government. Treating the problem as though it were an epidemic establishes the appropriate orientation for the government.**

b) Assessment of all current drug control efforts in the state, including review of the adequacy of state law related to drug control.

FINDING: Summit panels concluded that efforts are variegated and uncoordinated throughout the state in general. Examples of effective and appropriate roles of government exist in the context of an issue that spans cabinets much less departments or divisions and thus is

Statewide Drug Control Assessment Summit 2004 - Final Report

unresponsive to traditional spans of control for agencies of government. The structure of government, while effective in other issues, prohibits effectiveness on this issue.

c) The identification of gaps and duplication of services.

FINDING: Summit discovered a need for a coordinating entity that is responsible for all matters relating to the research of and the coordination and execution of the administration drug policy; not to usurp the administration of federal grants or state expenditures by cabinets, but to oversee and assure that all funded programs are in compliance with administration policy and that all programs funded are outcome based.

d) Recommendations of program priorities and expenditure levels within State government and how program accountability should be addressed by administering agencies.

FINDING: That a systemic policy to drive programmatic prioritization is necessary to balance an effective drug control initiative; piecemeal budgeting is wasteful and most ineffective.

e) Recommendations on any necessary modernization, changes, additional legislation or Kentucky Administrative Regulations to effectively address substance abuse and trafficking in the state.

FINDING: A working committee of the summit reviewed legislative history and has provided summary direction to more effectively integrate and balance drug statutes; a central clearinghouse on future legislative initiatives relating to drug control policy are essential to effect the policy of the administration.

ASSESSMENT METHODOLOGY CONSIDERATIONS

This assessment was not intended to develop into an empirical research based process. It was intended to serve as a pragmatic appraisal from which a sensible course of action and policy may be planned. The charge was to assess the current situation, identify desired outcomes and recommend a strategy to achieve those outcomes.

Assessing the current state of the efforts in Kentucky to address substance abuse began with gathering fundamental information to present to the appointed members at the first meeting. The pre-compilation of basic data was only intended to provide the Summit membership with context information about existing programs, funding information, program authority and reported measurements of program successes as possible, and as available.

The basic method of using pre-formatted questionnaires to collect the required data for this assessment was utilized. The methodology involves the use of Appointed Members, subcommittee members and some Administrative Support Team staff, with expertise in specific

Statewide Drug Control Assessment Summit 2004 - Final Report

areas, to use the pre-formatted set of questions to interview spokespersons about their work, programs and responsibilities.

Two questionnaires were used. One questionnaire was used as an interview tool to solicit and establish needed information from current programs for a balanced assessment. The second questionnaire was used exclusively for input from the general public. Once an interview was completed by an appointed member or subcommittee member, the data was forwarded to the Administrative Support Team by e-mail where it was compiled by the Team for monthly updates and review by the appointed membership. Information collected from the general public was accepted by e-mail or regular mail. Both questionnaires were available for completion on line at the Statewide Drug Control Summit Assessment web site at <http://kydrugsummit.ky.gov/>. Hard copies of the questionnaire were available to the general public at all Public Meetings.

Considering some data needed for this particular assessment already existed, this approach and review process provided the most efficient and suitable method of collecting and confirming the additional information needed for an orderly assessment. This method also offered an opportunity for all anecdotal information to be properly evaluated and reported.

BARRIERS IDENTIFIED FROM SUMMIT INTERVIEWS AND QUESTIONNAIRES

The following are brief descriptions of the consistent themes found in the data provided by the public as well as government administrators.

The following **barriers to prevention-education** issues were found:

1. Lack of leadership's support
2. Mixed messages of the culture sent to youth
3. Lack of comprehensive education and information availability and motivational tools
4. Fragmented services
5. Insufficient and unstable funding
6. Lack of commitment to science-based prevention programs
7. Insufficient work force development
8. Contradictory statistics; no central clearinghouse or resource that can be accurately depended upon
9. No holistic meaning to individual statistics

The following **barriers to treatment** issues were found:

1. Lack of access to existing treatment programs
2. Attitudes and stigmas
3. Funding and treatment costs
4. Lack of education
5. Lack of special care levels
6. Workforce challenges
7. Contradictory statistics; no central clearinghouse or resource that can be accurately depended upon
8. No holistic meaning to individual statistics

The following **barriers to enforcement** issues were found:

Statewide Drug Control Assessment Summit 2004 - Final Report

1. No clearly defined and coordinated strategies for state law enforcement agencies with measurable objectives
2. Lack of effective and meaningful communications between state, local and rural police
3. Insufficient and unstable funding
4. Lack of institutional knowledge of treatment, education-prevention programs available throughout the state
5. Lack of central grant application assistance for local and rural police departments
6. Lack of sufficient oversight and accountability for funding from discretionary sources (federal monies)
7. Contradictory statistics; no central clearinghouse or resource that can be accurately depended upon
8. No holistic meaning to individual statistics

THE ISSUE OF SCIENCE-BASED PROGRAMS

Science-based programs are based on the concept of using strategies, actions and products that have been evaluated and shown to have an effect on actual substance abuse, protective factors, norms related to use or specific factors that have been linked to substance abuse. The assessment panels examined existing Kentucky programs for their commitment and use of the science-based concept; it is recommended by the Summit panel that more exhaustive analysis of the adherence to science-based programming should be one of the primary functions of the Office of Drug Control Policy.

The Summit panel established that programs are science based when they meet the following conditions:

1. The intervention(s) has been demonstrated to positively affect substance abuse, as well as the problems, risk factors, and protective factors related to use.
2. Research results have been published by a peer-review journal or have undergone equivalent scientific review.

With scarce resources the state should not fund programs that are untested, based on questionable assumptions or that delivered with little consistency or quality control. On the other hand, "one size does not fit all"; a variety of programs are needed to meet the diverse needs of all contact levels (individuals, families, schools, communities, professionals, policy and law makers).

RECOMMENDATIONS

Developing policy and implementing programs and procedures to manage effectively the resources to control substance abuse requires a holistic, long-term and outcome based approach. Kentucky cannot expect to resolve these challenges over night, but Kentucky can and should make balanced, steady and significant progress on all fronts.

An effective statewide drug control policy will require a cohesive, multilayered and systems approach. Such a policy links and coordinates initiatives to avoid duplication and ensure integration of various efforts as well as identify the best use of resources. Clearly, no single tactic

Statewide Drug Control Assessment Summit 2004 - Final Report

pursued alone or to the detriment of other initiatives can work to contain or reduce illicit drug use. Kentucky will have to move forward on several paths at once to be successful.

Following are recommendations of the Summit that are color coded for proper placement and consideration. **Red** items are actions that have been conveyed to the Governor and are banner items worthy of executive action. **Blue** items were discussed and approved by the Summit for consideration by a policy coordinating office. **Green** items were not sufficiently discussed by the Summit to reach a consensus because the issue was too complex to take up by the Summit under the timetable established or the issue was not initiated into Summit discussions until late in the process.

CONCLUSION: The Theme

Other states have conducted assessments of the substance abuse problem. Although various new approaches to the problems arose from their efforts, none fully demonstrated courage or will to affect broad policy in a systemic fashion that assures efficiency and effectiveness.

Kentucky's summit assessment is a model and offers sustained opportunity for the administration to unify focus and demand high performance. It also demonstrates strong leadership and long-term commitment towards meaningful change and making government more functional and responsible to the needs of its citizens without increasing the size of government.

SUMMARY OF RECOMMENDATIONS

Items or issues that follow in **Red** are actions that have been conveyed to the Governor and are banner items worthy of executive action.

Establish an **Office of Drug Control Policy**

- Reports to Lieutenant Governor
- Responsible for coordination of all substance abuse policy

Declare substance abuse to be as significant a problem as in surrounding states and that the government policy should treat the problem as though it were an epidemic

- Elevates substance abuse to higher awareness and prioritization
- Consistent and emphatic theme
- Context for a manageable problem

Create a **Working Group to transition from Drug Summit to Office of Drug Control Policy**

- Composed of representatives from array of state agencies with significant roles in substance abuse policy
- Appointments and meetings for transition to occur within one full year from inception

Items that follow in **BLUE** are actionable items that are under consideration for inclusion in policy and are reported as recommended by the Summit.

Statewide Drug Control Assessment Summit 2004 - Final Report

Initiate and support a [Coordinated Prosecution Initiative](#)

- Coordinate through the Office of the Attorney General
- Supports over-burdened local prosecutors
- Brings specialized state resources to bear on a local level

Establish [Standards for Enforcement Drug Task Forces](#)

- Some task forces have been funded for as long as 17 years
- Recognize task forces have a significant and important role in integrated policy
- Recognize the importance and value of oversight

Promote [Treatment Services](#) throughout the state

- Treatment works
- Incarceration is not a solution in and of itself
- Treatment is not available to abusers who want and would benefit from it

[Correctional Treatment](#) works when available

- Treatment for inmates, probationers and serve-outs is underfunded

[Drug Courts](#) are an effective component of a coordinated policy

- Combination of treatment and consistent oversight (deterrence effect) yields promising results
- Develop model to express and sustain statewide

The [Parole Board](#) is an important element of substance abuse policy

- Requires significant revisions and updates to policies and procedures
- Can serve as a significant component of the administration's policy on substance abuse

[Drug Related Legislation](#)

- The committee report of the summit for inclusion as an executive order to be coordinated with the summit timetable

Best Use of [Kentucky Agency for Substance Abuse Policy \(ASAP\)](#)

- ASAP administers Champions for a Drug Free Kentucky, funds a number of local boards that pursue prevention programming and coordinates other volunteer efforts
- Has had mixed successes and should be evaluated on a case-by-case basis to determine effectiveness

[Excise Tax on Cigarettes](#)

- Kentucky has one of the lowest tax rates in the country on tobacco
- Recommend an increase in the tax between \$0.03-0.09; additional revenues would range between \$20-60M
- Programming in each of the three domains could be funded

Issues that follow in **GREEN** are items that the Summit deferred action upon in lieu of more detailed review by the Office of Drug Control Policy.

Statewide Drug Control Assessment Summit 2004 - Final Report

Drug Testing

- Consideration given to Federal Office of National Drug Control Policy grant opportunities to explore the feasibility of utilizing as part of Kentucky's drug testing policy
- Other target populations
- Drug testing is currently funded by the U.S. Department of Education in 23 separate communities (21 counties and two independent school boards)
- ODCP should examine the programs already developed in Kentucky for possible expansion

Kentucky Employee Assistance Program (KEAP)

- Coordinate with EAP any existing services regarding substance abuse for state employees that are developed in the future
- ODCP should have future integration of EAP into policy

Local Initiatives

- The Summit has become aware of a number of local initiatives regarding substance abuse throughout the state
- ODCP should devote resources to tracking and collaborating with these local initiatives as appropriate

Education/Prevention Findings

- A series of initiatives are currently being explored by the Education Cabinet that would redirect resources to substance abuse prevention

Drug Forfeiture Monies

- Drug forfeiture monies should be examined as a potential funding source for substance abuse related programs following a formula of redistribution of funds awarded
- ODCP should examine the existing drug forfeiture monies process

White Paper on Prevention

- ODCP to examine more thoroughly the White Paper for policy recommendations

SUMMIT HISTORY - INCEPTION

The Kentucky Drug Control Policy Summit was comprised of 51 members appointed by the Governor for the purpose of assessing the state of Kentucky's Substance Abuse Policy. The Summit was charged with the responsibility of assessing the effectiveness of existing and new local, state and federal substance abuse programs; soliciting input from citizens about substance abuse issues in their respective communities; and to formulate recommendations to improve the balance and effectiveness of statewide drug control efforts.